

pending in the present application. Claim 1 is the only independent claim. The amendments to claims 1 and 5 are of merely editorial nature and are not intended to affect the scope of the claims.

Summary of Office Action

As an initial matter, Applicants note with appreciation that the claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f) and receipt of the certified copies of the priority documents from the International Bureau have been acknowledged in the present Office Action and that an initialed and signed copy of the Form PTO-1449 filed April 24, 2002 has been returned together with the Office Action.

It is noted with appreciation that claim 10 is allowed (see Office Action Summary).

Claims 1-9 and 11-13 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for allegedly failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Office Action also notes that claim 5 recites an intermediate step for which there allegedly is insufficient antecedent basis. The Examiner suggests submitting an independent set of claims to obviate this language difficulty.

Response to Office Action

Reconsideration and withdrawal of the rejections of record are respectfully requested.

***Response to Rejection of Claims 1-9 and 11-13 under 35 U.S.C. § 112, Second Paragraph***

Claims 1-9 and 11-13 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for allegedly failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In this regard, the Examiner apparently is of the opinion that the temperature of the alkaline treatment is a critical element of the claimed method which should be recited in independent claim 1.

This rejection is respectfully traversed. While a temperature range of the alkaline treatment as recited, e.g., in allowed claim 10 may give the best results in most cases, satisfactory and beneficial results may be obtained when working outside this range. In other words, a suitable temperature range for the alkaline treatment depends on various factors, *inter alia*, on the specific type of organic phosphoric ester to be treated and the specific impurities contained therein. In view thereof, the rejection of claims 1-9 and 11-13 under 35 U.S.C. § 112, second paragraph should be withdrawn, which action is respectfully requested.

***Response to Comments with Respect to Claim 5***

The Office Action alleges that claim 5 recites an intermediate step for which there

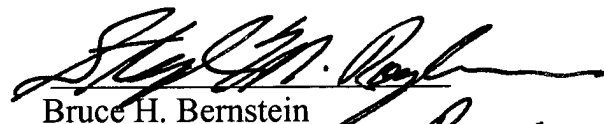
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allegedly is insufficient antecedent basis. Although it is not completely clear to Applicants what exactly the Examiner's concerns are, claims 1 and 5 have been amended, whereby these concerns should have sufficiently been addressed.

CONCLUSION

In view of the foregoing, it is believed that all of the claims in this application are in condition for allowance, which action is respectfully requested. If any issues yet remain which can be resolved by a telephone conference, the Examiner is respectfully invited to telephone the undersigned at the telephone number below.

Respectfully submitted,  
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Enclosure: Appendix

**A P P E N D I X**

*Marked-up copy of amended claims*

1. (Amended) A method of purifying an organic phosphoric ester [characterized in that the purification is carried out by], comprising treating a crude organic phosphoric ester with an epoxy compound and thereafter treating [the treated organic phosphoric ester] it with an alkaline aqueous solution.

5. (Twice amended) A method according to claim 1, wherein the method further comprises treating the organic phosphoric ester [that has been treated with the epoxy compound is treated] with water or an acidic aqueous solution after the treatment with the epoxy compound and in advance of the treatment with the alkaline aqueous solution.